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August 10, 2004



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Confirmation No. 1158

Re: U.S. Utility Patent Application No. 10/604,159  
Filing Date: June 28, 2003  
For: **Termination Assembly For Use In An Optical Fiber  
Hydrophone Array**  
Inventor: Donald A. COOKE *et al.*  
Our Ref.: 02708.0162.NPUS00 (formerly 012720-57)

Sir:

Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement (5 pages);
2. PTO/SB/08a (2 pages) with 5 attached references; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to **Deposit Account No. 08-3038**. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to our Deposit Account No. 08-3038, referencing the above docket number. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,

  
Michael J. Bell (Reg. No. 39,604)  
Andrew R. Sommer (Reg. No. 53,932)

Enclosures

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Donald A. COOKE *et al.*

Appl. No. 10/604,159

Filed: June 28, 2003

For: **TERMINATION ASSEMBLY FOR USE IN AN  
OPTICAL FIBER HYDROPHONE ARRAY**

Confirmation No. 1158

Art Unit: 3662

Examiner: *Not Assigned*

Atty. Docket: **02708.0162.NPUS00 (New)**  
012720-57 (Old)

**Information Disclosure Statement**

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-SB/08a are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-SB/08a based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted

herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed;
  - ☐ a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ b. Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - c. Before the mailing date of a first Office Action on the merits;
  - ☐ d. Before the mailing of a first Office Action after filing of a request for continued examination under § 1.115.

No statement under 37 C.F.R. § 1.97(e) or fee is required.

or;

- ☐ 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
  - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c)

more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2), or

- ☐ c. Attached is our Check No. \_\_\_\_\_ in the amount of \$ 600.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(i), and
  - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:

- 7. The Examiner's attention is directed to the co-pending U.S. Patent Applications which are directed to related technical subject matter:

- U.S. Patent Application Serial No. 10/605,668, entitled "Bypass Cable Assembly for Use in Optical Hydrophone Array," filed October 16, 2003 (Atty. Docket No. 02708.0156.CNUS01);
- U.S. Patent Application Serial No. 10/604,158, entitled "Mount for Use in Optical Hydrophone Array," filed June 28, 2003 (Atty. Docket No. 02708.0158.NPUS00);
- U.S. Patent Application Serial No. 10/604,160, entitled "Woven Fiber Protection Cable Assembly for Use in Optical Hydrophone Array," filed June 28, 2003 (Atty. Docket No. 02708.0159.NPUS00);
- U.S. Patent Application Serial No. 10/604,161, entitled "Optical Fiber Splice Protection Apparatus for Use in Optical Fiber Hydrophone Array," filed June 28, 2003 (Atty. Docket No. 02708.0160.NPUS00);
- U.S. Patent Application Serial No. 10/604,157, entitled "Fiber Splice Tray for Use in Optical Fiber Hydrophone Array," filed June 28, 2003 (Atty. Docket No. 02708.0161.NPUS00); and
- U.S. Patent Application Serial No. 10/604,162, entitled "Fiber Transition Segment for Use in Optical Fiber Hydrophone Array," filed June 28, 2003 (Atty. Docket No. 02708.0163.NPUS00).

The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent.

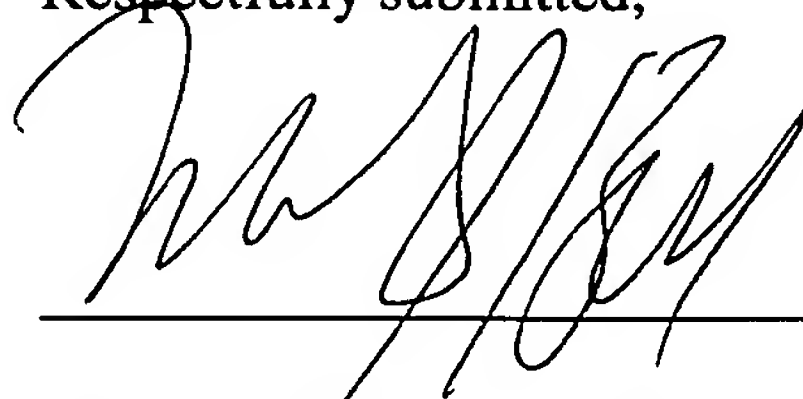
The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

- 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-SB/08a, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 02708.0162.NPUS00.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Michael J. Bell', is written over a horizontal line.

Michael J. Bell, Esq. (Reg. No. 39,604)  
Andrew R. Sommer (Reg. No. 53,932)

Date: August 10, 2004

HOWREY SIMON ARNOLD & WHITE, LLP  
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(202) 783-0800



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

2

**Complete if Known**

Application Number	10/604,159
Filing Date	June 28, 2003
First Named Inventor	Donald A. COOKE
Art Unit	3662
Examiner Name	
Attorney Docket Number	02708.0162.NPUS00

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	us-6,580,033	06-17-2003	Goldner et al.	
	2	us-4,525,818	06-25-1985	Cielo et al.	
	3	us-4,193,130	03-11-1980	Young et al.	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	4	CA 2,320,449	04-29-2001	Litton Systems, Inc.		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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